



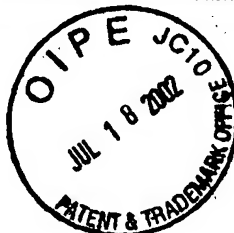
UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

#4

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/072,095	02/08/2002	James Klassen	26537.00100

28983
CROSBY HEAFEY ROACH & MAY
1901 AVENUE OF THE STARS, SUITE 700
LOS ANGELES, CA 90067



CONFIRMATION NO. 9459

FORMALITIES LETTER



OC000000007617958

Date Mailed: 03/12/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 65.

A copy of this notice MUST be returned with the reply.

H. Truong
Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

07/22/2002 EAREGAY1 00000023 501796 10072095

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OFFICE OF PETITIONS



PATENT
26537.00100

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

JAMES KLASSEN

Serial No: 10/072,095

Filed: February 8, 2002

For: ROTARY POSITIVE DISPLACEMENT
DEVICE

Art Unit: Not Assigned

Examiner: Not Assigned

**RESPONSE TO NOTICE TO FILE MISSING PARTS
OF APPLICATION**

Box MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

I hereby certify that this correspondence
is being deposited with the United State
Postal Service with sufficient postage for
First Class mail in an envelope
addressed to: Commissioner for Patents
Washington D.C. 20231, on

July 15, 2002

Date of Deposit

Kathy Hinkley

Name

Signature

07/15/02

Date

Dear Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application
mailed on March 12, 2002, response to which is due August 12, 2002 with a two-
month extension of time, the Applicant requests to proceed under 37 C.F.R. 1.47(b),
which allows an entity showing sufficient proprietary interest in the matter to proceed
with the application for patent.

For the present application for patent, the Applicant, Outland Technologies, Inc.
("Outland USA") is the assignee of the invention. However, the inventor, James
Klassen ("Klassen", has refused to sign the declaration needed to accompany this
application for patent. Klassen's unexecuted declaration is attached. Also attached
to this response and made a part hereof is a copy of the Applicant's "Petition To
Proceed With This Application For Patent Under 37 C.F.R. 1.47(b)" (sent under
separate cover to the Office of Petitions), including proof of the pertinent facts and
supporting documentation, showing that its action in prosecuting this application for
patent is necessary to both preserve the rights of the parties and to prevent
irreparable damage. The Applicant requests that its Petition be granted and that it be
permitted to proceed with the prosecution of the present application for patent.

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Enclosed are the following:

- ☒ A copy of the "Notice to File Missing Parts of Application Filing Date Granted."
- ☒ A copy of the "Declaration and Power of Attorney" *not* executed by the inventor(s).
- ☒ Surcharge for late filing of Declaration.
Fee: \$ 65 ☐ Check enclosed
- ☒ A "Petition for Extension of Time" for three month(s).
Fee: \$ 460 ☐ Check enclosed
- ☒ Copy of "Petition To Proceed With This Application For Patent Under 37 C.F.R. 1.47(b)," with Exhibits A, B, C1, C2, C3 and D
- ☒ Copy of "Statement of Last Known Address of Inventor" submitted with "Petition To Proceed With This Application For Patent Under 37 C.F.R. 1.47(b)."
- ☒ Copy of "Declaration of JoAnne S. Redmann In Support of Petition To Proceed With This Application For Patent Under 37 C.F.R. 1.47(b)," with Exhibits 1 and 2
- ☒ Copy of "Petition Under 37 C.F.R. § 1.78(a)(6) For Acceptance of Unintentionally Delayed Priority Benefit Claim"
- ☒ Copy of "Preliminary Amendment to Assert Priority Claim Under 35 USC § 119(e)"
- ☒ Return postcard.

The Commissioner is authorized to charge any underpayment to Deposit Account No. 50-1796, referencing docket number 26537.00100. A copy of this document is enclosed.

Respectfully submitted,
CROSBY, HEAFEY, ROACH & MAY

Date: July 15, 2002

By: JoAnne S. Redmann
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Registration No. 31,482
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